

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CASEY. H. PERRY,  
Plaintiff,  
v.

RYAN SILVERTHON,  
Defendants.

\_\_\_\_\_ /

Case No. 24-10194

Susan K. DeClercq  
United States District Judge

Curtis Ivy, Jr.  
United States Magistrate Judge

**ORDER GRANTING PLAINTIFF'S MOTION TO COMPEL DISCOVERY**  
**(ECF No. 30)**

**I. PROCEDURAL HISTORY**

Plaintiff Casey H. Perry filed this *pro se* prisoner complaint on January 24, 2024, and amended on April 22, 2024. (ECF Nos. 1, 15). He filed a motion to compel discovery on July 30, 2024. (ECF No. 30). To date, Defendant Ryan Silverthon has not filed a response. This matter was referred to the undersigned for all pretrial matters. (ECF No. 10).

A respondent opposing a motion must file a response, including a brief and supporting documents. E.D. Mich. L.R. 7.1(c)(1). A response “to a nondispositive motion must be filed within 14 days after service of the motion.” E.D. Mich. L.R. 7.1(e)(2)(B). Opposition to a motion is deemed waived if the responding party fails to respond or otherwise oppose the motion. *See Humphrey v. United States Att’y Gen.’s Off.*, 279 F. App’x 328, 331 (6th Cir. 2008).

Plaintiff filed his motion to compel on July 30, 2024. (ECF No. 30). A response would be due August 13, 2024, but no response was filed. Fed. R. Civ. P. 6(a)(1). As a result, Plaintiff's motion is unopposed. The Court finds many of the requests reasonable, so the motion is **GRANTED IN PART. Within 14 days of this Order**, Defendant must, with the exceptions that follow:

1. Substantively answer Plaintiff's Interrogatories No. 1-9 in full;
2. Produce all documents responsive to Plaintiff's Requests for Production Nos. 1-6, or to confirm in writing that it does not have documents responsive to these requests; and
3. Substantively admit or deny Plaintiff's Requests for Admission Nos. 1-6.

Some requests appear to seek medical information of other prisoners. For example, request for production of documents No. 1 seeks all grievances filed at the prison concerning inmates with medical conditions. (ECF No. 30, PageID.271). Plaintiff is not entitled to anyone else's health information. The Court does not deem objections to the requests waived. Any objections must be stated with specificity in accordance with the Federal Rules of Civil Procedure.

**IT IS SO ORDERED.**

The parties here may object to and seek review of this Order, but are required to file any objections within 14 days of service as provided for in Federal

Rule of Civil Procedure 72(a) and Local Rule 72.1(d). A party may not assign as error any defect in this Order to which timely objection was not made. Fed. R. Civ. P. 72(a). Any objections are required to specify the part of the Order to which the party objects and state the basis of the objection. When an objection is filed to a magistrate judge's ruling on a non-dispositive motion, the ruling remains in effect unless it is stayed by the magistrate judge or a district judge. E.D. Mich. Local Rule 72.2.

Date: August 22, 2024.

s/Curtis Ivy, Jr.  
Curtis Ivy, Jr.  
United States Magistrate Judge

### **CERTIFICATE OF SERVICE**

The undersigned certifies that this document was served on counsel of record and any unrepresented parties via the Court's ECF System or by First Class U.S. mail on August 22, 2024.

s/Sara Krause  
Case Manager  
(810) 341-7850